

**REMARKS OF EDWARD J. MARKEY (D-MA)
SUBMITTED IN SUPPORT OF
H.R. 3605, "THE PATIENTS' BILL OF RIGHTS ACT"**

May 6, 1998

Mr. Speaker, today I join with Representatives John Dingell and Greg Ganske, Leader Dick Gephardt, Leader Tom Daschle, Senator Ted Kennedy, Senator Barbara Boxer, and the many patient and health groups, in support of H.R. 3605, the Patients' Bill of Rights Act. We all owe a debt of gratitude to Congressman Dingell for his strong and sure leadership on this issue; Mr. Dingell got involved early, pulled the key players together and produced an excellent bill which will, in fact, protect patients once enacted. I want to say a special word of thanks to Rep. Greg Ganske, with whom I have been working closely for some time on the Patient Right to Know Act (H.R. 586) which would ban gag clauses from managed care plans. His power of persuasion over some of his Republican colleagues to join him in co-sponsoring the Patients' Bill of Rights Act will be very helpful in passing a managed care reform bill this year.

Representative Ganske and I have been involved for quite some time in putting together a bill which would prohibit managed care plans from restricting the medical communications between doctors and patients based on what the plan did and did not cover. Our bill was based on a very simple premise: **when you're a patient, What you don't know can hurt you.** And our anti-gag clause bill, which now has 300 co-sponsors, is included in the Patients' Bill of Rights Act.

The Patients' Bill of Rights Act expands on that principle. **It says: What you don't know and don't have access to and aren't protected from can hurt you.**

That's why the Patients' Bill of Rights Act makes it possible for people to have some choice of plans, access to specialty and emergency care, and direct access to OB/GYN care and services for women.

That's why the Patients' Bill of Rights Act makes it possible for patients to get more information about their health plans, and have greater faith that the confidentiality of their medical records will be protected.

And that's why the Patients' Bill of Rights Act recognizes that patients are also health care consumers and establishes strong consumer protection standards, internal and external grievance procedures, and measures which respect and protect the provider-patient relationship.

When President Clinton delivered his State of the Union speech on January 27 -- **99 days ago** -- one of the single most sustained waves of applause followed the President's call to action for Congress: to pass a consumer bill of rights and responsibilities for America's patients. **Well, tomorrow, we will hit Day 100 of total inaction.** The American people are demanding that Congress fill their managed care reform prescription -- the Republican leadership should fill that prescription with the Patients' Bill of Rights Act.

Once again, I'd like to thank Congressman Dingell, Senator Kennedy, our Leaders and all of my colleagues who are working so hard to move this legislation forward.